



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

m2

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,997	10/16/2003	Hyesook Kim	3087.00012	7448

7590 10/16/2007  
Amy E. Rinaldo  
Kohn & Associates, PLLC  
Suite 410  
30500 Northwestern Highway  
Farmington Hills, MI 48334

EXAMINER
----------

HOGE, GARY CHAPMAN

ART UNIT	PAPER NUMBER
----------	--------------

3611

MAIL DATE	DELIVERY MODE
-----------	---------------

10/16/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/686,997	<b>Applicant(s)</b> KIM, HYESOOK	
	<b>Examiner</b> Gary C. Hoge	<b>Art Unit</b> 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-20 is/are pending in the application.  
4a) Of the above claim(s) 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-8 and 10-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 3611

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Claim 9 is withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the replies filed on March 14, 2005 and July 6, 2005.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 5-8, 10, 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glover (2002/0116845) in view of Beavers et al. (5,842,179) and Jacobsen (3,628,260).

Glover discloses a marked grid including specific locations **16** and a spreadsheet **22**, the spreadsheet being in a separate physical location from the marked grid, the spreadsheet including designations relating to the locations on the marked grid, such that each of the designations includes details regarding items located in each of the locations. However, the locations on the grid are identified by number, rather than by row and column. Beavers teaches that it was known in the art to identify locations in a grid by row and column (see Fig. 6). It would have been obvious to one having ordinary skill in the art at the time the invention was made to identify the locations on the grid (and on the corresponding spreadsheet) disclosed by Glover by row and column, as taught by Beavers, in order to avoid ambiguity about where the sequence of numbers

Art Unit: 3611

identifying the locations begins. Further, the spreadsheet disclosed by Glover does not include a geometric grid that corresponds to the rows and columns. Jacobsen teaches that it was known in the art to provide a spreadsheet that physically corresponds to the grid it represents. It would have been obvious to one having ordinary skill in the art at the time the invention was made to make the spreadsheet disclosed by Glover, as modified, physically correspond to the rows and columns of the marked grid, as taught by Jacobsen, in order to make it easier to find in the marked grid the items in the spreadsheet.

Regarding claims 2 and 3, see paragraph 0016 of Glover.

Regarding claims 5 and 18, see paragraph 0018 of Glover.

Regarding claim 6, see Fig. 6 of Beavers.

Regarding claim 10, storage container **12** fits the dictionary definition of a “rack.”

3. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glover (2002/0116845) in view of Beavers et al. (5,842,179) and Jacobsen (3,628,260), as applied to claim 1, above, and further in view of MacWilliams et al. (6,352,286).

Glover discloses the invention substantially as claimed, as set forth above. However, the indicia on the grid and the spreadsheet does not include a barcode. MacWilliams teaches that it was known in the art to include a barcode along with other identifying indicia, in order to make the indicia machine-readable. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a barcode along with the other indicia disclosed by Glover, as taught by MacWilliams, in order to make the indicia machine-readable.

***Response to Arguments***

4. Applicant's arguments filed September 4, 2007 have been fully considered but they are not persuasive.

Regarding Glover, Applicant states that "some suggestion to modify Glover must be present. There is no motivation to use a spreadsheet as claimed in the present pending independent claims." The Supreme Court's decision in *KSR International Co. v. Teleflex Inc.* (82 USPQ2d 1385) forecloses the argument that a specific teaching, suggestion or motivation is required to support a finding of obviousness. As set forth above, all of the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded predictable results to one of ordinary skill in the art at the time the invention was made.

***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Hoge whose telephone number is (571) 272-6645. The examiner can normally be reached on 5-4-9.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gary C Hoge/  
Primary Examiner  
Art Unit 3611

gch